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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/830,002	04/23/2004	Gagan Puranik	SKY-03-004	7661
25537 7590 02/09/2007 VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD SUITE 500 ARLINGTON, VA 22201-2909			EXAMINER SHEDRICK, CHARLES TERRELL	
			ART UNIT 2617	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			NOTIFICATION DATE	
3 MONTHS			02/09/2007	
			DELIVERY MODE ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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patents@verizon.com

Office Action Summary	Application No. 10/830,002	Applicant(s) PURANIK, GAGAN	
	Examiner Charles Shedrick	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1,8,15, 17, and 20-21** are rejected under 35 U.S.C. 102(b) as being anticipated by Eaton et al. US Patent 6,101,370, hereinafter, "Eaton".

Consider **claim 1**, Eaton, teaches a method for providing time information to user devices via a wireless network (i.e., wireless network 200 in figure 2), comprising: configuring a plurality of transmitters in the wireless network such that a synchronization frame transmitted by each of the plurality of transmitters may be used by the user devices to identify time zone information (i.e., the Flex Protocol transmits synchronous frames to selective call receivers as described in col.2 lines 50-67 and see also col. 3 lines 3-6 and col. 9 lines 30-35) ; and transmitting, by each of the plurality of transmitters, the synchronization frame via the wireless network(i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35).

Consider **claim 8**, Eaton teaches a system, comprising: a plurality of transmitters, each of the plurality of transmitters configured to: insert information in a synchronization frame (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35), the information corresponding to a time zone associated with the respective transmitter (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35), and

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transmit the synchronization frame via a wireless network(i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35).

Consider **claim 15**, Eaton teaches a system, comprising: means for providing time zone information to a user device via a synchronization frame (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35); and means for transmitting the synchronization frame to the user device via a wireless network (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35).

Consider **claim 17**, teaches a device, comprising: a receiver configured to receive radio frequency (RF) signals from a transmitter (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35 and at least the description of figure 5), the RF signals including a synchronization signal (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35 and at least the description of figure 5); and logic configured to: decode the synchronization signal(i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35 and at least the description of figure 5), and identify a time zone in which the device is located based on the decoded synchronization signal(i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35 and at least the description of figure 5).

Consider **claim 20 and as applied to claim 17**, Eaton teaches wherein the logic is further configured to: determine a local time based on the identified time zone.

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Consider **claim 21**, Eaton teaches a method for providing time information to user devices via a wireless network, comprising: configuring each of a plurality of transmitters to transmit identification information based on a time zone in which each respective transmitter is located (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35); and transmitting a frame including the identification information from each of the plurality of transmitters via the wireless network(i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

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the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims **2-5,9-12,14,16,18-19,22-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Eaton et al. US Patent 6,101,370, hereinafter, "Eaton" in view of Applicants admitted prior Art (**MPEP 2129**)

Consider **Claim 2 and as applied to claim 1**, Eaton teaches the claimed invention except specifically wherein the synchronization frame includes a B bit field.

However, Applicants admission in at least paragraph 0037 teaches wherein the synchronization frame includes a B bit field is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include wherein the synchronization frame includes a B bit field as taught by prior art for the purpose of transmitting coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well known Flex™ family of protocols.

Consider **Claim 3 and as applied to claim 2**, Eaton teaches wherein the protocol position includes a block information word that may be used by a user device to identify a time zone in which the user device is located (col. 2 line 50 – col. 3 line 31).

However, Eaton does not specifically teach a B bit field and a color code.

Applicants admission in at least paragraph 0037 teaches wherein a B bit field and a color code is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include a B bit field and a color code as taught by prior art for the purpose of transmitting coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well-known FlexTM family of protocols.

Consider **claims 4 and 11 and as applied to claims 1 and 8**, Eaton teaches the claimed invention except wherein the wireless network comprises a ReFLEX-based network.

Applicants admission in at least paragraph 0037 teaches wherein a ReFLEX-based network is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include a ReFLEX-based network for the purpose of transmitting coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well-known FlexTM family of protocols.

Consider **claims 5, 12, and 23 and as applied claims 1,8, and 21** Eaton teaches the claimed invention further comprising: receiving, at a user device, the synchronization frame (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35); decoding a bit field in the synchronization frame (i.e., to derive local time information as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35); and

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determining, at the user device, local time using the decoded bit field(i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35).

However, Eaton does not specifically teach a color code.

Applicant's admission in at least paragraph 0037 teaches wherein a B bit field is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include a B bit field for the purpose of transmitting coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well-known FlexTM family of protocols.

Consider **claim 9 and as applied to claim 8**, Eaton teaches the claimed invention further comprising: a network operations center (i.e., see figure 4), the network operations center configured to transmit information to each of the plurality of transmitters (i.e., see discussion of figure 4).

However, Eaton does not specifically teach a color code.

Applicant's admission in at least paragraph 0037 teaches wherein a color code is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include a color code for the purpose of transmitting coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well-known FlexTM family of protocols.

Consider **claim 10 and as applied to claim 9**, Eaton teaches wherein each of the plurality of transmitters is further configured to: receive the code information from the network operations center (i.e., via the transmitters) (see discussion of figure 4).

However, Eaton does not specifically teach a color code.

Applicant's admission in at least paragraph 0037 teaches wherein a color code is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include a color code for the purpose of transmitting coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well-known FlexTM family of protocols.

Consider **claim 14 and 24 and as applied to claim 12 and 23**, Eaton teaches wherein each of the plurality of user devices is further configured to: receive time information at predetermined intervals (col. 2 line 65 – col. 3 line 31), and determined local time based on the time and the determined time zone (col. 2 line 65 – col. 3 line 31).

However, Eaton does not specifically teach UTC information.

Applicant's admission in at least paragraph 0003 teaches wherein receiving UTC information is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include receiving UTC information for the purpose of providing time as taught by the prior art as admitted by the Applicant.

Consider **claim 16 and as applied to claim 15**, Eaton teaches wherein the means for providing comprises: means for assigning code information to each of a plurality of transmitters based on a time zone in which the respective transmitter is located (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35), and means for inserting the code information in the synchronization frame (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35).

However, Eaton does not specifically teach a color code.

Applicant's admission in at least paragraph 0037 teaches wherein a color code is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include a color code for the purpose of transmitting coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well-known FlexTM family of protocols.

Consider **claim 18 and as applied to claim 17**, Eaton teaches the claimed invention except wherein the device is configured to communicate in accordance with the ReFLEX protocol and time zone information is included in a B bit field of the synchronization signal.

Applicant's admission in at least paragraph 0037 teaches wherein a ReFLEX-based network and a B bit field is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include a ReFLEX-based network and a B bit field for the purpose of transmitting

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coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well-known FlexTM family of protocols.

Consider **claims 19 and 22 and as applied to claims 17 and 21**, Eaton teaches wherein when identifying a time zone (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35), the logic is configured to: identify information in the synchronization signal, and use the information to identify the time zone (i.e., as described in at least col.2 lines 50-67 and see also col. 3 lines 3-6 and col.9 lines 30-35).

However, Eaton does not specifically teach a color code.

Applicant's admission in at least paragraph 0037 teaches wherein a color code is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include a color code for the purpose of transmitting coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well-known FlexTM family of protocols.

Claims **6-7,13,25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Eaton et al. US Patent 6,101,370, hereinafter, "Eaton" in view of Applicants admitted prior Art (**MPEP 2129**) and further in view of Robertson et al. US Patent No.: 5,631,635, hereinafter, "Robertson"

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Consider **claim 6 and as applied to claim 5**, Eaton teaches wherein the determining comprises: determining a code based on the decoded bit field, and determining local time based on the code (i.e., see col. 2 line 60- col. 3 line 31).

However, Eaton does not specifically teach a B bit field and a color code index .

Applicants admission in at least paragraph 0037 teaches wherein a B bit field and a color code is prior art.

Therefore, it would have been obvious at the time the invention was made to modify Eaton to include a B bit field and a color code as taught by prior art for the purpose of transmitting coded information as taught by the prior art as admitted by the Applicant. Eaton further notes that the local times are transmitted in a predetermined protocol position, which is preferably a block information word of one of the protocols in the well-known FlexTM family of protocols.

However, Eaton as modified by Applicants admission of prior art does not specifically teach an index.

In analogous art Robertson teaches an indexed table (i.e., 54 of figure 1, also see at least col. 3 lines 35-50).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Eaton as modified by Applicants admission of prior art to include an indexed table for the purpose of tracking identifiable codes (i.e., 0-127) as taught by Robertson.

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Consider **claim 13 and as applied to claim 12**, Eaton teaches wherein when determining the time zone, each of the plurality of user devices is configured to: identify based on the information in the synchronization frame, and determine the time zone based (i.e., see col. 2 line 60- col. 3 line 31).

However, Eaton as modified by Applicants admission of prior art does not specifically teach an index.

In analogous art Robertson teaches an indexed table (i.e., 54 of figure 1, also see at least col. 3 lines 35-50).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Eaton as modified by Applicants admission of prior art to include an indexed table for the purpose of tracking identifiable codes (i.e., 0-127) as taught by Robertson.

Consider **claims 7 and 25 and as applied to claims 1 and 21**, Eaton teaches the claimed invention except wherein the configuring comprises: assigning to each of the plurality of transmitters in a particular time zone a color code corresponding to a color code within a predetermined range.

However, Applicants Admission of prior art teaches assigning to each of the plurality of transmitters in a particular time zone a color code corresponding to a color code is prior art in at least paragraph 0034.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Eaton to include assigning to each of the plurality of

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transmitters in a particular time zone a color code corresponding to a color code for the purpose of identifying a transmitter as taught in prior art according to applicant's admission.

However, Eaton as modified by Applicants admission of prior art does not specifically teach an index.

In analogous art Robertson teaches an indexed table (i.e., 54 of figure 1, also see at least col. 3 lines 35-50).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Eaton as modified by Applicants admission of prior art to include an indexed table for the purpose of tracking identifiable codes (i.e., 0-127) as taught by Robertson.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


5. Patents assigned to Motorola that also teaches using the Flex or ReFlex protocol
6. Patents assigned to Motorola also under the inventor Deluca et al. that also teaches using the Flex or ReFlex Protocol.
7. Nelson et al US Patent No. 5,371,737
8. Mock et al. US Patent No. 6,587,398 B1
9. Gipson et al. US Patent No. 6,778,512
10. Deluca et al. 5,089,814
11. Heitmann US Patent No.: 7,085,276

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Shedrick whose telephone number is (571)-272-8621. The examiner can normally be reached on Monday thru Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kincaid Lester can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Charles Shedrick
AU 2617
January 25, 2007


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